

Contribution to Submission – Criminal Justice Research and Statistics Unit

Select Committee on a Northern Territory Harm Reduction Strategy for Addictive Behaviours

Focus of Contribution:

1. The types of NT data available on arrests, charges and convictions;
2. The types of NT data available on offenders in correctional facilities who have AOD problems;
3. The current scale and trends of illicit drug-use in the Territory and its impacts upon health, justice, drug and alcohol and law enforcement activities.

Types of NT data available

Courts

Data from the court process begins with Police apprehension (arrest or summons), and includes the types of offences with which the individual is charged, the court appearances for the individual's case(s), the orders made in the case (including bail/remand), the final outcome for each offence in the case, and whether a conviction was recorded. Recording of a conviction is separate to recording a finding of guilt, though for adults the two are usually closely correlated. Information on fine amounts and imprisonment sentence length is also recorded; imprisonment sentence length is difficult to determine from court records as one sentence may involve multiple offences in different cases, some served consecutively and some concurrently, so sentence length is generally considered on an offender basis from prison data, rather than on an offence basis from courts data. Charts are provided showing trends in apprehensions for illicit drug offences.

The involvement of alcohol or drugs in a criminal case can be recorded in two ways. One is via the type of offence—for instance, possession or dealing in illicit drugs, or high-range drink driving. When the offence involves a specific drug, the charge wording usually specifies the drug by name—such as *cannabis* or *methamphetamine*, or a chemical designation like *2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine*—somewhere in the text. While the drug name can be extracted using search strings and wildcards, the text-based recording (including misspellings and alternate names) and lack of drug type categorisation makes it difficult to undertake detailed statistical reporting on drug type. Charts are provided showing offences involving the two most common drugs mentioned in charges, with all other drugs grouped as “other”, and the type of drug-related offending (possession/use, dealing/trafficking, et cetera).

In other cases, the offence might be assault or theft, but if the offender is intoxicated at the time of the assault, or attempting to steal alcohol, the apprehension record can be flagged as alcohol-related. The value of the substance flag can indicate “A” for alcohol involvement, “D” for drug involvement, “O” for other substance involvement (such as petrol) or “N” for nil. Where both alcohol and drugs are suspected or considered to be involved, Police have indicated that alcohol involvement is recorded preferentially, as the field can only accept a single value.

A substantial amount of information for alcohol-related offences (such as alcohol-related assault or drink driving) was reported in the recent process evaluation of the Banned Drinker Register; a copy of this report is appended as an example of the patterns in such data.

LEGISLATIVE ASSEMBLY OF THE NT
TABLED DOCUMENTS

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Committee: *NT Harm Reduction, Addictive Behaviours*

Paper No: *1* Date: *30.1.8.2018*

Tabled By: *Attorney-General & Justice*

Signed: *JR*

Prisons

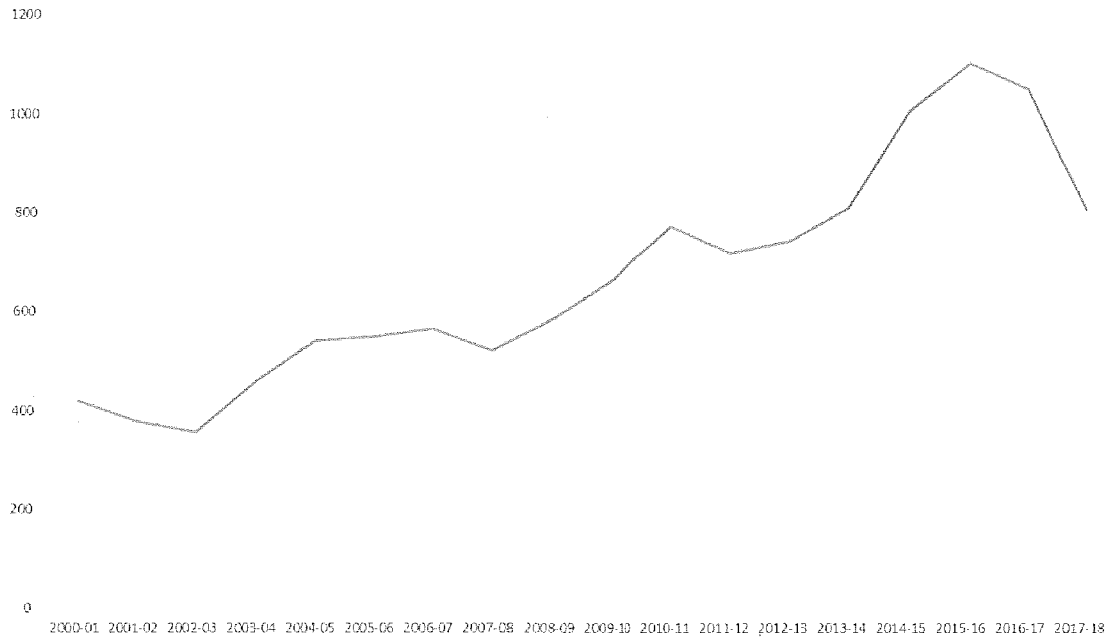
When an offender is received in custody, an Immediate Risk Needs Assessment (IRNA) questionnaire is completed. Included are questions relating to whether any offences were known to have been committed under the influence of alcohol, illegal drugs, petrol, or other substances (all separate responses, so multiple 'yes' answers are possible), and whether any offences were known to have been committed to support a habit of substance abuse involving alcohol, illegal drugs, petrol, or other substances (all separate responses). The responses are generally given by the offenders, so the information may differ to that recorded elsewhere. The assessment also asks whether the offender appears to be suffering from acute drug or alcohol withdrawal, and whether the offender has suffered from withdrawal symptoms in the past week. Charts are shown in the following pages for receptions of individuals by whether they were under the influence of alcohol, and whether they were under the influence of illegal drugs, when they offended.

A prisoner may be imprisoned for numerous offences, so a "most serious offence" is determined based on the national offence index (a ranking of the severity of different types of offences) and (for sentenced prisoners) sentence length (which is a better measure of seriousness in the specific case). Hence, for most serious offences that are alcohol related (such as high range drink driving) or drug related (such as possessing a traffickable quantity of a Schedule 2 substance), the number of such prisoners can be determined and tracked over time. Charts on individuals imprisoned with a most serious offence related to illegal drugs are shown in the following pages.

Other AOD information recorded in correctional facilities relates to prisoner involvement in therapeutic programs, for instance the Alcohol and Other Drugs program, the Drink Driving Education program, or the Safe, Sober, Strong program. Individual attendance is recorded for each session, so for a particular program it is possible to track the number of sessions a prisoner has attended.

Patterns in illicit drug offending in the criminal justice system

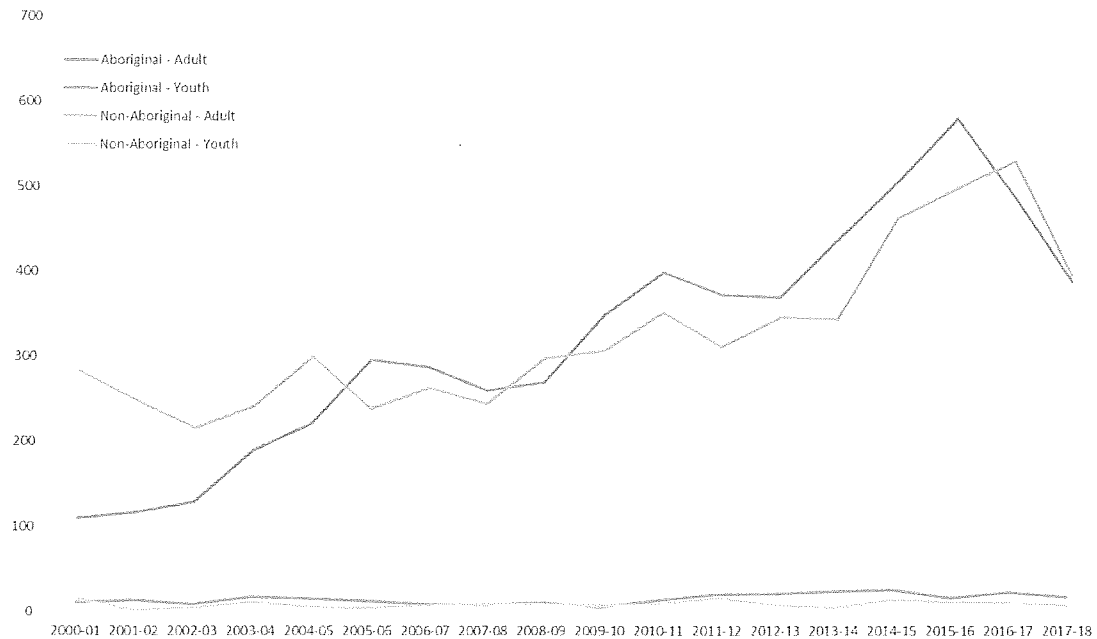
Total Apprehensions¹



- Apprehensions for illicit drug offences increased by 163% between 2000-01 and 2015-16, and decreased by 27% between 2015-16 and 2017-18
- There were 92% more illicit drug apprehensions in 2017-18 than in 2000-01.

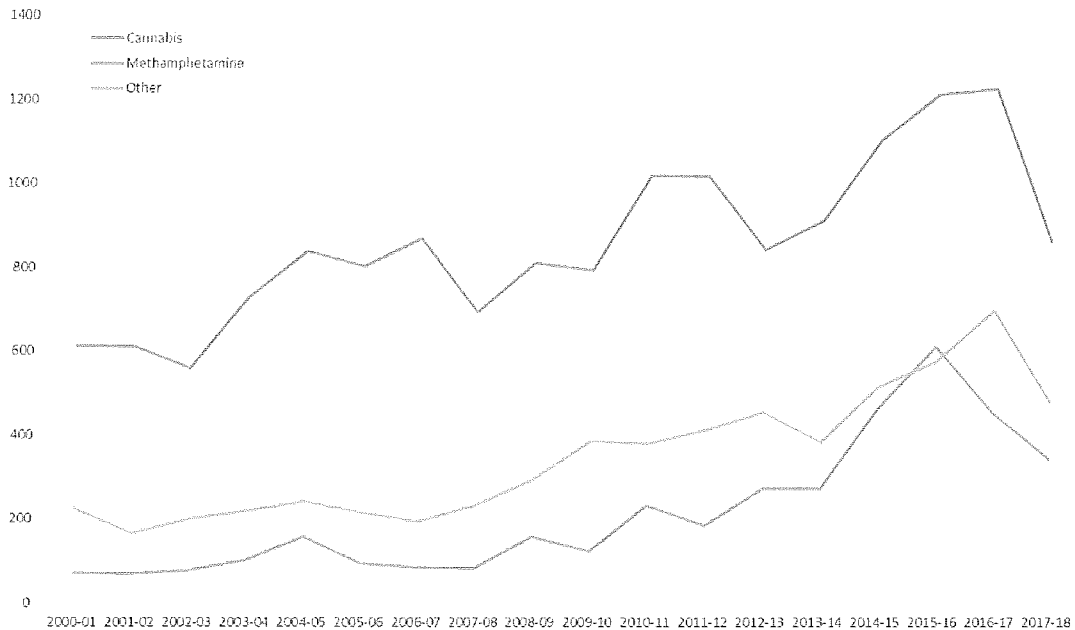
¹ Apprehensions here include persons either summonsed or arrested and charged with one or more offences (not dealt with by infringement notice) where the offence(s) proceeded to court. A person may be apprehended for multiple cases/offences at the same time, but is counted as apprehended only once per date, regardless of the number of apprehension reports on that date. Repeat apprehensions for the same case are not counted.

Apprehensions by Aboriginal status and Age class



- Youth account for a very small proportion of illicit drug apprehensions (3% in 2017-18 and 3% across the time period shown)
- There were 100% more adult apprehensions for illicit drugs in 2017-18 than in 2000-01, and 8% fewer youth apprehensions.
- Aboriginal and non-Aboriginal individuals accounted for nearly equal numbers of illicit drug apprehensions in 2017-18 (50.2% to 49.8%, respectively), in contrast to many other types of offences where Aboriginal people account for the majority of apprehensions
- Apprehensions of Aboriginal people for an illicit drug offence increased by 235% between 2000-01 and 2017-18, while apprehensions of non-Aboriginal people apprehended increased by 35%.
- Apprehensions of Aboriginal people for illicit drugs have decreased in each of the last two years (32% across both years), and apprehensions of non-Aboriginal people decreased by 25% in the latest year.

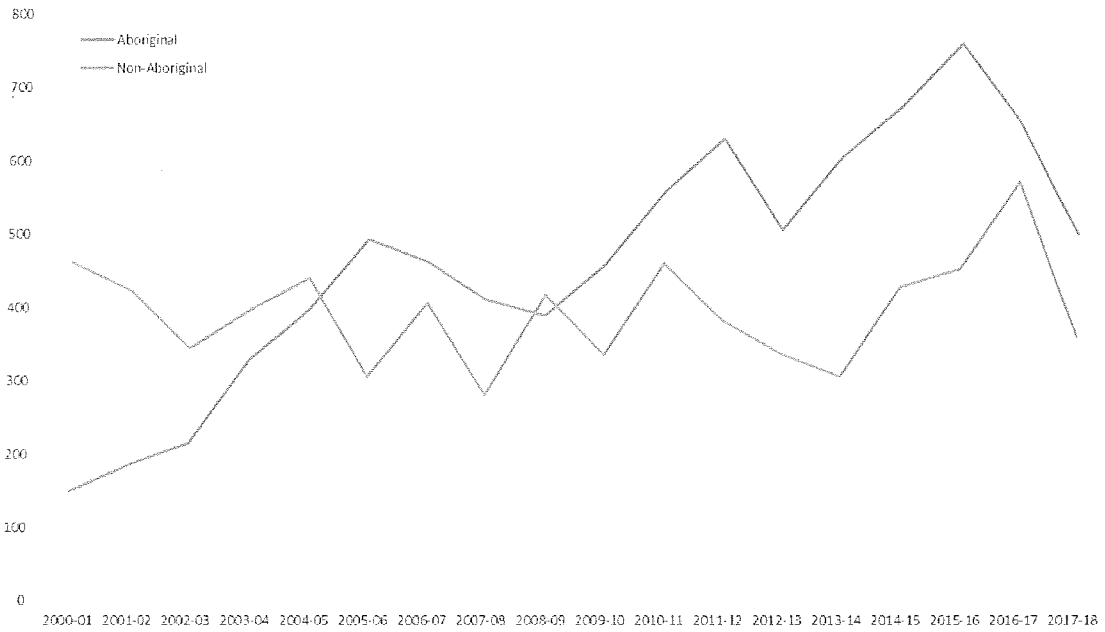
Offences² by Drug Type



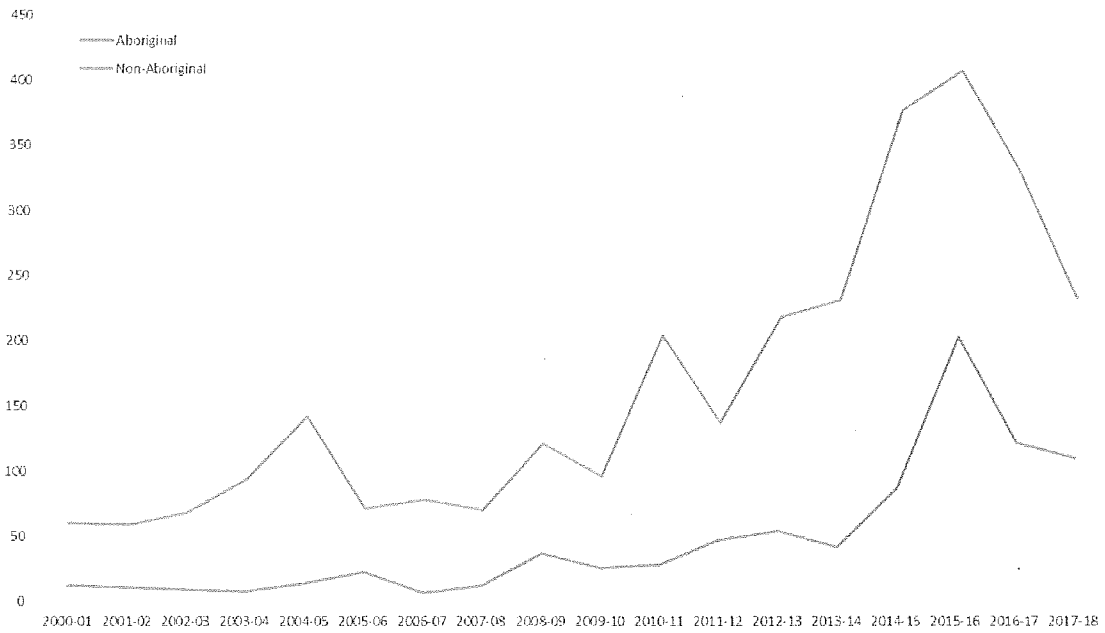
- Cannabis accounts for the largest number of charged drug offences (51% in 2017-18 and 61% over the period shown). Cannabis offences increased by 100% between 2000-01 and 2016-17, and decreased by 30% between 2016-17 and 2017-18. There were 40% more cannabis offences in 2017-18 than in 2000-01.
- Methamphetamine offences made up 20% of all charged drug offences in 2017-18 and 15% over the period shown. Methamphetamine offences increased by 747% between 2000-01 and 2015-16, and decreased by 44% between 2015-16 and 2017-18. There were 376% more methamphetamine offences in 2017-18 than in 2000-01.
- Offences involving other drugs (or drug paraphernalia) made up 28% of all charged drug offences in 2017-18 and 24% over the period shown. These offences increased by 209% between 2000-01 and 2016-17, decreasing by 31% over the last year. There were 112% more offences involving other drugs or drug paraphernalia in 2017-18 than in 2000-01.

² Offences charged at apprehension (not counting infringement offences) that proceeded to court.

Cannabis offences charged by Aboriginal status

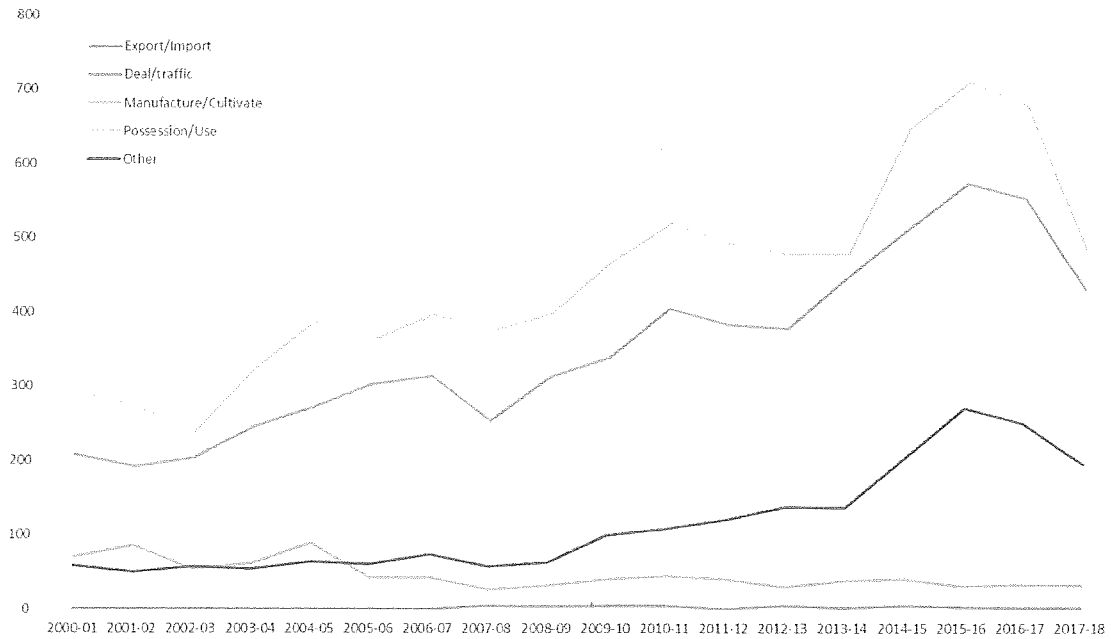


Methamphetamine offences charged by Aboriginal Status



- Aboriginal defendants accounted for 58% of cannabis offences charged in 2017-18
- Non-Aboriginal defendants accounted for 68% of methamphetamine offences charged in 2017-18 and 74% of other drug offences charged in 2017-18 (not shown)

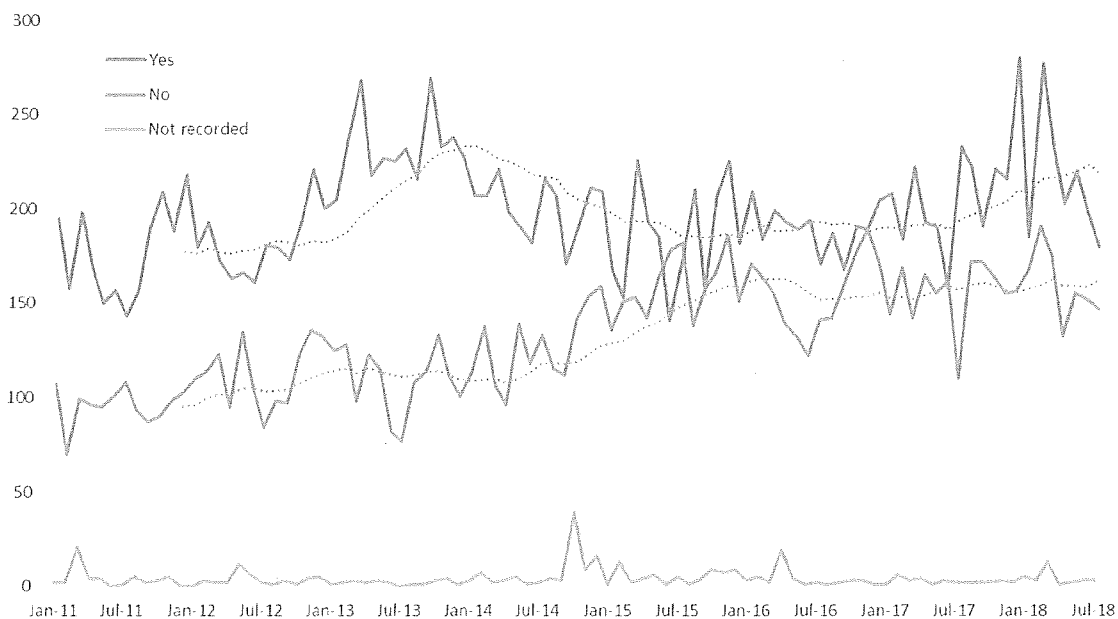
Apprehensions by type of offence³



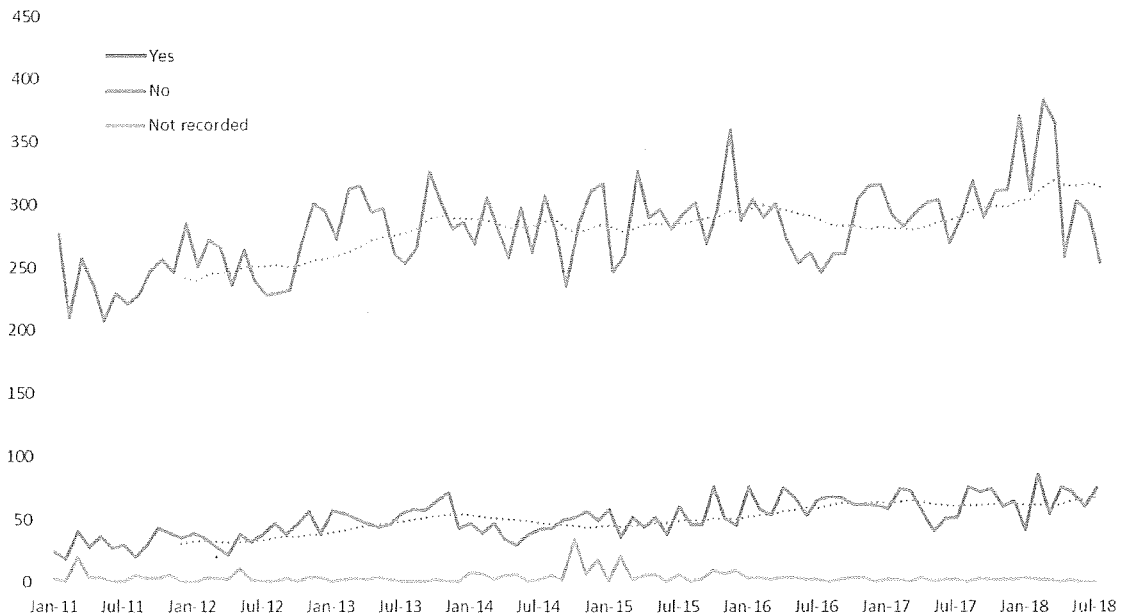
- 60% of total illicit drug apprehensions in 2017-18 involved a possession or use offence, and 53% involved a dealing or trafficking offence. 4% involved a manufacturing or cultivating offence, and less than 1% involved an import or export offence.
- 24% of total illicit drug apprehensions in 2017-18 involved another drug offence (mainly involving drug-related equipment).

³ An apprehension may involve multiple types of illicit drug offences. For this chart, an apprehension was counted once for each category of offence that proceeded to court—hence the categories do not sum to the total number of apprehensions, nor to 100%.

Custodial receptions by whether the prisoner was under the influence of alcohol at the time of offending (self-reported)

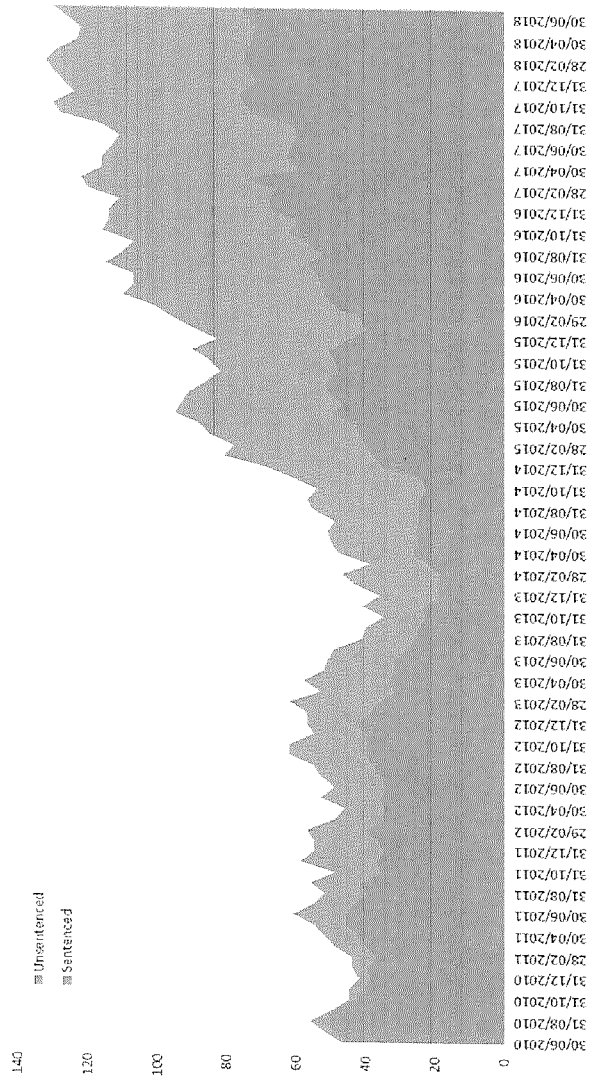
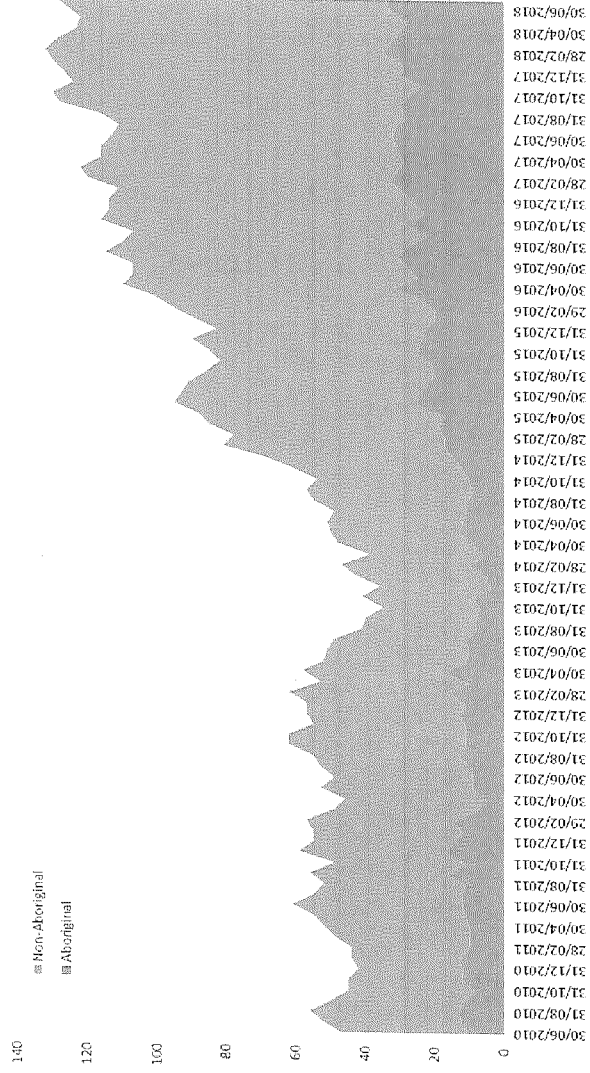


Custodial receptions by whether the prisoner was under the influence of illegal drugs at the time of offending (self-reported)



- 58% of prisoners received in 2017-18 indicated that they had been under the influence of alcohol at the time of their offending.
- 17% of prisoners received in 2017-18 indicated that they had been under the influence of illegal drugs at the time of their offending.

Adults imprisoned⁴ for a most serious offence involving illicit drugs



- On average, 76% of persons in prison during 2017-18 with a most serious offence involving illicit drugs were non-Aboriginal, and 24% were Aboriginal.
- On average, 57% of persons in prison during 2017-18 with a most serious offence involving illicit drugs were sentenced, and 43% were on remand.
- Prison sentences for drug offences can last for several years; this may be why the recent decline in apprehensions for illicit drug offences between 2015-16 and 2017-18 does not appear in the prisoner numbers.

⁴ Based on a count of adults in prison at the end of the month; averages for the year are based on the average of 12 end-of-month values.